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score of signatories, have ratified it. Sir Cecil Hurst explains in a report to the Armaments Commission of the League of Nations the reason why the treaty remains a dead letter. The substance of his explanation is that the American Government is not in position to control the export of arms and munitions by private firms except to a limited number of countries, such as Mexico, Turkey, and Soviet Russia. Since the United States has not ratified the Treaty of St. Germain, other signatory powers do not feel justified in inflicting severe losses upon their manufacturing industries when the effect of such action would not terminate the trade in arms, but would simply divert it into other hands. In short, it is charged that the United States is to blame for the failure to ratify the Treaty of St. Germain and to remedy the distressing situation as to the manufacture and trade in the munitions of war.

Our own opinion is that this charge is unjust. The United States has refused to accept the League of Nations. It is not in position, therefore, to ratify the Treaty of St. Germain or any other instrument tied to the League of Nations. The trouble in the whole situation is that our European friends treated with a self-appointed group of unrepresentative Americans. They have not yet sensed the fact, namely, the United States cannot, and, in no appreciable time will, conduct its foreign policy, directly or indirectly, in conjunction with the organization set up under part 1 of the Treaty of Versailles. The United States does not abstain from ratifying the convention for the control of the trade in arms and ammunition because of its subservience to the manufacturers of arms. It refuses that convention because under chapter 5, article 23, it is provided that the high contracting parties would agree to use their best endeavors to secure the accession to the present convention of other States, members of the League of Nations. Under article 24 the signatories would agree to submit disputes to an arbitral tribunal in conformity with the provision of the Covenant of the League of Nations. Thus the blame for the present deplorable situation relative to the traffic in arms is due, not to the refusal of the United States to ratify the convention of September 10, 1919, but to the inability of European statesmen to realize that, as far as the United States is concerned, such traffic will have to be controlled by some adjustment wholly unrelated to an organization repeatedly repudiated in the United States Senate and overwhelmingly condemned by the American electorate.

It is to be hoped that those taking the lead in discharging the important duty of removing this danger to peace and order will set themselves to the task of finding a way to do it that will be in conformity with the fundamental policies of the United States. There must be some workable method.

MR. HOLT'S SERVICE

EVERY ONE is indebted to Mr. Hamilton Holt, president of the Woodrow Wilson Democracy, for his letters to Secretary Hughes criticizing the latter's attitude toward the League of Nations and the Permanent Court of International Justice, since those letters evoked from Mr. Hughes replies of customary clarity which tell us something we are glad to know.

Thus we have Mr. Hughes' statement, made in his usual convincing way, that he has not treated the League of Nations discourteously, in reply to various communications sent to this government. It is good to know that. The United States exercised its choice and stayed out of the League, but it would not be pleasant to think that our officials pettishly disregard the ordinary amenities of gentlemen in occasional dealings with agents of the League.

We also learn, in an authoritative way, why we made formal peace with Germany through the separate Treaty of Berlin instead of by using the Treaty of Versailles with reservations. When Mr. Harding went to Congress, shortly after assuming office, he gave the impression that the Treaty of Versailles would be resubmitted. It is gathered from Mr. Hughes' reply to Mr. Holt that the situation in the Senate was canvassed, and that it was found advisable to use the separate treaty.

Again we are given reliable insight into the mind of Mr. Hughes with respect to the League of Nations itself. It will be recalled that he was one of the thirty-one eminent Republicans who issued a manifesto in the 1920 campaign, Secretary Hoover and Chief Justice Taft being among the others, in which support of Mr. Harding was urged as a means of entering the League. The assumption of the manifesto was that in no event could the United States enter the League without reservations being made to the covenant, and the argument was that there would be better chance of entering the League on a sound basis, under those circumstances, with Mr. Harding in the White House than with Mr. Cox.

Alluding to Mr. Holt's not altogether friendly references to Mr. Hughes' partial responsibility for that manifesto, Mr. Hughes states in one of his replies that the Administration was compelled to deal with the situation as it found it. This plainly means that when the Administration came into office it looked at the temper of the people as revealed in the 1920 election on the one hand, and at the temper of the Republican majority in the Senate on the other hand, and concluded that any effort to enter the League would be unavailing. Perhaps reflection had convinced Mr. Harding that the country should not enter the League. But Mr. Hughes' letter indicates that the survey of the popular and senatorial situations also was made. It is well to have this under-

standing of what transpired in the first days of the Harding Administration in its relation to foreign affairs.

Of more concrete value than these revelations as to past events is Mr. Hughes' discussion of the attitude of this government toward the Permanent Court of International Justice. Unquestionably there is a profound sentiment among thoughtful men in this country, whether or not they favor entrance into the League of Nations, that the United States should avail itself of the court and should lend its strength toward the firm establishment of the institution as a bulwark of peace and order.

Very likely it is true that among the ablest minds opposed to entrance into the League itself are as many favorable to participation by this country in the work of the court as there are among the advocates of the League. The opinion in this country favorable to such a court has been strong and widespread for many years. Secretary Hughes, in many respects typical of American thought, says of himself that he has "too long advocated judicial settlement of justiciable controversies" to feel that he needs to make any personal defense against charges of unfriendliness to the court.

It is, therefore, gratifying to read between the lines of Mr. Hughes' letters to Mr. Holt what amounts to a certain open-mindedness on the part of this government toward participation in the work of the court. It seems to us that Mr. Hughes virtually says, "Find a way to get us into it." The court is an institution of the League. We are not a member of the League, there is no present sign that we will be a member, and in consequence we have no voice in the choice of the judges. Mr. Hughes says there is no chance of our participating in the court until provision is made by which we could have a voice in the election of judges of the court without joining the League. The problem consequently seems to be to effect some change that will enable the United States to participate in the work of the court on an equality with all the other nations participating, which certainly seems to be the way in which the power and prestige of the United States could be of most service to the court, irrespective of what service the court might be to the United States in a given contingency.

It may fairly be asked whether, with the one fact that the United States is not in the League and not likely to be in the League, and the other fact that it is very desirable to have the United States in the court, this problem of effecting some adequate change is not one deserving the attention of the leaders of thought and action both in this country and in Europe.

During the campaign of 1920 some publicists thought that following the election of Mr. Harding there would be a gradual movement in international affairs toward such a reconstruction of the League as would leave the

Permanent Court of International Justice the outstanding and dominant feature. Those who held this view expected a progressive accretion of strength for the court and a progressive deterioration of the other agencies of the League. Possibly over a span of years this expectation may be realized.

If it should be, the difficulties in the way of American entrance into the work of the court would be very greatly minimized, if not removed. But at present there appears to be unwillingness on the part of some of the European nations to accede to any movement looking to diminution of the agencies of the League other than the court. It would be unfortunate if in these circumstances it should be thought impossible so to order affairs that the United States could find its way into the court. There ought to be a method of achieving co-operation between the United States and the other nations in this institution for the service of the world through the instrumentality of international law.

THE ITALIAN UPHEAVAL

THE RECENT troubles in Italy illustrate anew the dangers to which the nations have been brought in consequence of the enormous destruction of life and property in the war. They give a hint, a very broad hint, of how lasting are the war's evils.

We do not think of Italy as we think of France, devastated and now confronted by a Germany of tremendous latent resources; nor do we think of her as of Great Britain, to a large extent the heart of the commerce and trade of Europe, and therefore affected by all of the poison that has been injected into the various members of the industrial body. Italy we commonly think of as a second-rate nation living somehow, in a second-rate way, on the edge of things. However, Italy suffers terribly in the paralysis of Europe due to the war. She suffers in herself and in her neighbors' suffering.

In that fact, we think, is to be found the explanation of the recent outbreaks between the Communists and the Fascisti. Italy's manpower was badly weakened in the war. Under the best of economic conditions, a nation which must work as hard as she for its living would be handicapped, but in addition to that she has a public debt of incredible proportions. We have seen it stated that her debt is as large as her wealth—an unthinkable condition to the American people. Now, with that handicap due to loss of manpower and with that crushing public debt, Italy must find a way to make her living in industry and trade; and in making her living in that way, be it remembered, she is also under the enormous handicap of having to import a very great proportion of her raw material, for her natural resources are not sufficient to supply food and commodities to her workmen.